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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. **460.1860USQ**
Anticipated Classification of this Application
Class: Subclass:
Prior Application: **09/421,799** filed **October 20, 1999**
Examiner: Art Unit:

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a XX continuation-in-part _____ continuation divisional application under 37 CFR 1.53(b), of pending prior application, Serial No. **09/421,799** filed on **October 20, 1999** of **Richard D. La Torre, Joseph P. Sejnowski, Aidan J. Petrie, and Richard S. Chomik** for **LIP-OPENABLE SPILL-PROOF CONTAINER.**

The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW				
FOR	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$690.00
TOTAL CLAIMS	43 - 20 =	23	x \$18.00	\$414.00
INDEPENDENT CLAIMS	3 - 3 =	0	x \$78.00	\$0
MULTIPLE DEPENDENT CLAIM FEE			x \$260.00 =	
TOTAL FILING FEE			\$1104.00	
1/2 FILING FEE FOR SMALL ENTITY			\$0	

1. XX A check in the amount of \$ 1104.00 is enclosed.
2. XX The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.
3. _____ Cancel in this application original claim(s) _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
4. XX A copy of the specification with claims and drawings, are enclosed.
5. _____ Amend the specification by inserting before the first line the sentence: ---
This is a _____ continuation, _____ division, of application serial no. _____ filed _____

6. XX The prior application is assigned of record to:
Playtex Products, Inc.
7. XX The power of attorney in the prior application is to:
Charles N.J. Ruggiero
a. The power appears in the original papers in the prior application.
b. Address all future communications to : **CHARLES N.J. RUGGIERO, ESQ.**
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8. ____ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
9. XX Priority of application Serial No. **09/421,799** filed on **October 20, 1999** is claimed under 35 U.S.C. §120;
10. XX Applicants claim the benefit of application numbers **60/104,897** filed on **October 20, 1998** and Serial No. **60/148,095** filed on **August 10, 1999**.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

August 9, 2000
August 9, 2000

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EL590400113US**, service under 37 CFR §1.10 and is addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231, on August 9, 2000.

Heather A. Fiorella
(Typed name of person mailing paper)

Heather A. Fiorella
(Signature of person mailing paper)